

12-21-01

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Practitioner's Docket No. : MPI2000-433CP1(M) **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of
Inventor(s): Hong Chen and Immaculada Silos-Santiago

For (title): **NT69, A Novel Nucleoside Transporter Family Member and Uses Therefor**

1. Type of Application

This new application is for a(n)

- ☐ Original (nonprovisional)
- ☐ Design
- ☐ Plant
- ☐ Divisional.
- ☐ Continuation.
- ☒ Continuation-in-part (C-I-P).

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents,
Box Patent Application, 29 Crystal Drive, Arlington, VA 22202.

37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10*

- ☐ with sufficient postage as first class mail.
- ☒ as "Express Mail Post Office to Address"
Mailing Label No. EL791760507US
(mandatory)

Date: December 17, 2001


Signature

Ryan Severson

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).
 "Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

2. **Benefit of Prior U.S. Application(s)** (35 U.S.C. Sections 119(e), 120, or 121)

- ☒ The new application being transmitted claims the benefit of prior U.S. Patent Application Number 09/712,797 filed November 14, 2000.

3. **Maintenance of Copendency of Prior Application**

- A. ☐ Extension of time in prior application
- B. ☐ Conditional Petition for Extension of Time in Prior Application

(complete this item, if previous item not applicable)

- ☐ A conditional petition for extension of time is being filed in the pending **prior** application.
- ☐ A **copy** of the conditional petition filed in the prior application is attached.

4. **Abandonment of Prior Application** *(if applicable)*

- ☐ Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

5. **Papers Enclosed**

Required for Filing Date under 37 C.F.R. Section 1.53(b) (Regular) or 37 C.F.R. Section 1.153 (Design) Application

91 Pages of Specification, including
87 Pages of Description
04 Pages of Claims
01 Page of Abstract
07 Sheets of Drawings (Figures 1A-1B, 2, 3A-3B, 4, 5, 6)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. Section 1.84(b).
- ☐ Formal
- ☒ Informal

6. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 C.F.R. Section 1.98)
- ☐ Form PTO-1449 (PTO/SB/08A and 08B)
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☒ 7 pages of paper copy of Sequence Listing (37 CFR Section 1.821-1.823), Diskette containing computer readable form of Sequence Listing (37 CFR Section 1.821(e) and 1.824) and 1 page of Transmittal Letter for Diskette containing computer readable form of Sequence Listing (37 CFR Section 1.821(f))
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Other:

7. Declaration or Oath (including power of attorney)

- ☒ (3 pages) An unexecuted Combined Declaration and Power of Attorney, a copy of which is enclosed.
- ☐ Not Enclosed.

8. Assignment

- ☒ An assignment of the invention to Millennium Pharmaceuticals, Inc. a copy of which
 - ☐ is enclosed.
 - ☒ will follow.

9. **Fee Calculation** (37 C.F.R. Section 1.16)

A. ☒ Regular application

CLAIMS AS FILED					
Claims	Numbered Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. Section 1.16(a) \$740.00
Total Claims (37 C.F.R. Section 1.16 (c))	25	- 20 = 5	x	\$18.00	90.00
Independent Claims (37 C.F.R. Section 1.16(b))	10	- 3 = 7	x	\$588.00	588
Multiple Dependent Claim(s), if any (37 C.F.R. Section 1.16(d))	0	+ 280.00			0

- ☐ Amendment cancelling extra claims is enclosed.
☐ Amendment deleting multiple-dependencies is enclosed.
☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation

\$1,418.00

10. Method of Payment of Fees

☐ Check in the amount of \$_____.

☒ Charge Account No. 501668 in the amount of \$1,418.00.
A duplicate of this transmittal is attached.

11. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 501668.

☒ 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

☒ 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)

☐ 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☐ 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a).


☐ 37 C.F.R. Section 1.17 (application processing fees)

☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

12. Instructions as to Overpayment

☒ Credit Account No. 501668.

☐ Refund



SIGNATURE OF PRACTITIONER

Jill E. Uhl, Reg. No. 43,213
(type or print name of practitioner)

Millennium Pharmaceuticals, Inc.
P.O. Address

75 Sidney Street

Cambridge, MA 02139

Telephone (617) 551-3969

Facsimile: (617) 551-8820

☒ **Statement Where No Further Pages Added**

☒ This transmittal ends with this page.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Honh Chen et al.

Serial No.: N/A

Filed: Herewith

For: NT69, A Novel Nucleoside Transporter Family
Member and Uses Therefor

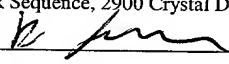
Attorney Docket No.: MPI2000-433CP1(M)

Assistant Commissioner for Patents
Box Sequence
Washington, D.C. 20231

**TRANSMITTAL LETTER FOR DISKETTE CONTAINING COMPUTER READABLE
FORM OF SEQUENCE LISTING**

Dear Sir:

Enclosed is a diskette which contains a computer readable form of the Sequence Listing for the patent application filed herewith. The Sequence Listing complies with the requirements of 37 C.F.R. § 1.821. The material on this diskette is identical in substance to the Sequence Listing which is submitted herewith, as required by 37 C.F.R. § 1.821(f). The computer readable form of the sequence listing contained on the enclosed diskette is understood to comply with the requirements of § 1.824(d).

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Date of Deposit December 17, 2001
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Sequence, 2900 Crystal Drive, Arlington, VA 22202

Signature Ryan Severson
Please Print Name of Person Signing

MILLENNIUM PHARMACEUTICALS, INC.

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